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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2013-742**

13 **CARRIE SIMONE GARLAND, aka**
14 **CARRIE SIMONE DOERING**
15 **2640 Portage Bay E., #10**
16 **Davis, CA 95616**

A C C U S A T I O N

17 **Registered Nurse License No. 729447**
18 **Public Health Nurse Certificate No. 76288**

19 Respondent.

20 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

21 **PARTIES**

22 1. Complainant brings this Accusation solely in her official capacity as the Executive
23 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

24 2. On or about June 30, 2008, the Board issued Registered Nurse License Number
25 729447 to Carrie Simone Garland, also known as Carrie Simone Doering ("Respondent"). The
26 license was in full force and effect at all times relevant to the charges brought herein and will
27 expire on September 30, 2013, unless renewed.

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1 3. On or about October 8, 2009, the Board issued Public Health Nurse Certificate
2 Number 76288 to Respondent. The certificate was in full force and effect at all times relevant to
3 the charges brought herein and will expire on September 30, 2013, unless renewed.

4 **JURISDICTION**

5 4. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
6 the Board may discipline any licensee, including a licensee holding a temporary or an inactive
7 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
8 Practice Act.

9 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
10 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
11 to render a decision imposing discipline on the license. Under Code section 2811(b), the Board
12 may renew an expired license at any time within eight years after the expiration.

13 **STATUTORY AND REGULATORY PROVISIONS**

14 6. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
15 the Board may discipline any licensee, including a licensee holding a temporary or an inactive
16 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
17 Practice Act.

18 7. Code section 2761 states:

19 "The board may take disciplinary action against a certified or licensed nurse or deny an
20 application for a certificate or license for any of the following:

21 (a) Unprofessional conduct, which includes, but is not limited to, the following:

22 (1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing
23 functions."

24 8. California Code of Regulations, title 16, section 1443, states:

25 As used in Section 2761 of the code, "incompetence" means the lack of
26 possession of or the failure to exercise that degree of learning, skill, care and
27 experience ordinarily possessed and exercised by a competent registered nurse as
28 described in Section 1443.5.

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12. Respondent is subject to discipline under Code section 2761(a), on the grounds of unprofessional conduct, in that on or about October 18, 2009, while a registered nurse for Sacramento Valley Ambulance and part of a Critical Care Transport team, Respondent demonstrated unprofessional conduct, as more particularly set forth above in paragraph 10.

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

4. Taking such other and further action as deemed necessary and proper.

for Stacie Benson
LOUISE R. BAILEY,
Executive Officer

Accusation